

Highlights of County Council Votes -- 2005

Council Session of Tuesday, January 18, 2005

Olney Master Plan

R-200/PD-3 zoning for the Bowie Mill School Site in the Olney Master Plan Motion by Silverman. Straw vote. Passed 5-4. YES: Silverman, Denis, Subin, Perez, & Leventhal in favor. NO: Andrews, Floreen, Praisner & Knapp.

Eight percent imperviousness cap for the Norbeck Country Club property. Motion by Praisner. Straw vote. Passed 8-1. YES: Silverman, Subin, Andrews, Denis, Leventhal, Praisner, Knapp, & Perez. NO: Floreen.

Retain Queen Elizabeth Drive as a primary residential street. Motion by Praisner. Straw vote. Passed 5-2. YES: Praisner, Knapp, Leventhal, Andrews, & Perez. NO: Floreen & Silverman. ABSENT: Subin & Denis.

Council Session of Tuesday, January 25, 2005

Countywide Bikeways Functional Master Plan

Include in Master Plan language for a study of a bicycle connection in vicinity of the old Glen Echo trolley right-of-way. Motion by Leventhal. Defeated 3-5. YES: Praisner, Leventhal & Perez. NO: Denis, Floreen, Subin, Silverman, & Andrews. ABSENT: Knapp.

Council Session of Tuesday, February 1, 2005

Spending Affordability Guidelines for FY06 Capital Budget

Raise the FY05 guidelines by \$10 million to \$209 million, raising the six-year guideline by \$19 million to \$1.159 billion. Motion by Knapp. Defeated 2-5. YES: Praisner & Knapp. NO: Denis, Andrews, Floreen, Silverman & Perez. ABSENT: Subin, Leventhal.

Raise both the FY05 and FY06 guidelines to \$209 million and the FY10 target to \$190 million, raising the six-year guideline to \$1.178 billion. Motion by Praisner. Defeated 2-5. YES: Praisner, Knapp. NO: Denis, Andrews, Silverman, Perez & Floreen. ABSENT: Subin & Leventhal.

Approve school impact tax revenue assumptions as submitted by the County Executive. Motion by Praisner. YES: Knapp, Praisner. NO: Denis, Andrews, Perez, Floreen & Silverman. ABSENT: Subin & Leventhal.

Supplemental appropriation to FY05 Capital Budget for \$4.993 million to cover cost overruns for Montgomery County Detention Center reuse. Passed 9-0.

Raise FY05 and FY06 guidelines to \$209 million and FYs07-10 to \$200 million, thus raising the six-year guideline to \$1.218 billion and approve the guidelines as a whole. Motion by MFP Committee. YES: Andrews, Silverman, Denis, Perez & Floreen. NO: Praisner & Knapp. ABSENT: Subin & Leventhal. (Subin & Leventhal later said that, had they been present, they would have voted in favor.)

Master Plan of Bikeways

Final approval. Motion by Transportation & Environment Committee. Passed 7-0. YES: Silverman, Denis, Andrews, Praisner, Floreen, Knapp & Perez. ABSENT: Subin & Leventhal. (Subin & Leventhal later indicated that, had they been present, they would have voted in favor.)

Council Session of Tuesday, February 8, 2005

Resolution to support the development of a long-range funding plan for Metro and for increasing the federal government's contribution to Metro.

Motion by Floreen. Approved 9-0.

Amendments to the Solid Waste Management Plan.

Establish a graduated recycling rate over five years to reach 50 percent recycling goal by 2010. Passed 7-0. YES: Denis, Andrews, Floreen, Perez,

Knapp, Praisner, & Leventhal. ABSENT: Subin & Silverman. (Silverman later indicated that, had he been present, he would have voted in favor.

Council Session of Tuesday, February 15, 2005

Resolution to establish Annual Budget Priorities & Performance Measures in the October before the Upcoming Budget Year

Motion by Knapp. Approved 9-0.

Council Session of Tuesday, March 1, 2005

Resolution to establish a Council grants process

Motion by Leventhal. Approved 5-3. YES: Leventhal, Knapp, Perez, Andrews, & Silverman. NO: Denis, Subin, & Floreen. ABSENT: Praisner.

Recommendations to the State of Maryland on the Intercounty Connector

Build the Intercounty Connector. Motion by Transportation & Environment Committee. Approved 6-3. YES: Subin, Silverman, Floreen, Leventhal, Knapp, & Denis. NO: Perez, Andrews, Praisner.

Build the Intercounty Connector in Corridor 1 (the master-planned route) or Corridor 2 (the northern alternative). Motion by Transportation & Environment Committee. Corridor 1 approved. YES on Corridor 1: Silverman, Subin, Floreen, Knapp, Denis, Leventhal, & Perez. NO on Corridor 2: Praisner. NO on Corridors 1 & 2: Andrews.

Build in Corridor 1 with specific options recommended by Transportation & Environment Committee. Motion by Transportation & Environment Committee. Approved 8-0-1. YES: Denis, Silverman, Subin, Knapp, Leventhal, Floreen, Perez, & Praisner. PRESENT: Andrews.

Council Session of Tuesday, March 8, 2005

Bill 39-04, Clean Energy Rewards Program.

Essentially rebates County energy tax to residents who get their electricity from renewable sources. Sponsored by Leventhal. Passed 9-0.

Council Session of Tuesday, March 15, 2005

Zoning Text Amendment 04-26, Mixed-Use Town Center Zone

Sponsored by Silverman. Passed 9 to 0.

Olney Master Plan

Pursue Bowie Mill site for development of affordable or workforce housing, under the R-200/PD-3 zone (which would allow up to 117 units). If the Executive enters into an agreement with another property owner for joint development of the two sites, the number of units on the Bowie Mill School site should be limited to the 78 units allowed under R-200 zoning. Motion by Silverman. Passed 5-4. YES: Silverman, Subin, Perez, Leventhal, & Denis. NO: Andrews, Praisner, Floreen, & Knapp.

Modify the zoning to R-200, develop 78 units, and state that if land swap is not possible that proceeds from any sale should be used for Olney affordable housing. Motion by Knapp. Defeated 4-4. YES: Andrews, Floreen, Knapp, & Praisner. NO: Denis, Silverman, Perez, & Leventhal. ABSENT: Subin.

Specify that lot sizes, mix of housing types, and density must be compatible with adjacent properties and should exclude commercial development and multi-family development. Motion by Praisner. Passed 7-1. YES: Praisner, Silverman, Denis, Knapp, Perez, Andrews, & Floreen. NO: Leventhal. ABSENT: Subin.

Designate Buehler Road as a primary residential road and remove the unbuilt portion of Buehler Road south of Prince Philip Drive from the Master Plan. Motion by Knapp. Defeated 2-6. YES: Knapp & Perez. NO: Silverman, Floreen, Denis, Andrews, Leventhal, & Praisner. ABSENT: Subin.

Establish density limit of four units per acre for Golden Bear property. Motion by Praisner. Defeated 2-7. YES: Praisner & Andrews. NO: Silverman, Subin, Floreen, Perez, Denis, Leventhal, & Knapp.

Include Master Plan language that provides for access to Shopping Center from the Victoria Springs community without requiring residents to drive on Georgia Avenue. Motion by Praisner. Defeated 3-6. YES: Andrews, Praisner, & Perez. NO: Denis, Floreen, Silverman, Leventhal, Subin, & Knapp.

Final vote on adoption of Olney Master Plan. Motion by Silverman. Passed 7-2. YES: Silverman, Perez, Subin, Floreen, Denis, Knapp, & Leventhal. NO: Andrews & Praisner.

Council Session of Tuesday, March 22

Resolution instructing the Maryland-National Capital Park & Planning Commission to begin the process of protecting 10 acres of open space north of the Strathmore Arts Center on Rockville Pike.

Motion by Floreen. Passed 8-0. ABSENT: Subin.

Council Session of Tuesday, April 5

Zoning Text Amendment 04-16. Local Map Amendment Traffic Test-Metro Station Policy Area.

Provides a process for reclassification of property located in a Metro Station Policy Area to satisfy the applicant's burden of proof on certain traffic impact issues. Motion by Silverman. Passed 5-3. YES: Silverman, Denis, Knapp, Floreen, & Leventhal. NO: Andrews, Praisner, & Perez. ABSENT: Subin.

Council Session of Tuesday, April 12

Local Small Business Reserve.

Requires County departments to set aside 10 percent of their procurement for Montgomery County small businesses and requires the posting of procurement opportunities on the Internet. Motion by Silverman. Passed 9-0.

Council Session of Tuesday, April 19

Spending Affordability Guidelines for FY06 Operating Budget.

Amendment to establish Spending Affordability Guidelines that include property tax revenues at \$43.25 million (or 3.6 cents) above the Charter limit. Motion by Denis. Failed 4-4. YES: Denis, Perez, Leventhal, & Silverman. NO: Praisner, Andrews, Knapp, & Floreen. ABSENT (due to illness): Subin.

Committee recommendation to establish Spending Affordability Guidelines with property tax revenue at the Charter limit. Motion by Praisner. Failed 4-4. YES: Praisner, Knapp, Andrews, & Floreen. NO: Silverman, Perez, Leventhal, & Denis.

(Failed motions meant that Spending Affordability Guidelines defaulted to Guidelines approved last December, with property tax revenue at the Charter limit.)

Council Session of Tuesday, April 26

Ratification of Collective Bargaining Agreement between the County and the Career Firefighters Union

Includes provision for retirement at 20 years instead of 25 years. Motion by Management & Fiscal Policy Committee. Passed 8-1. YES: Denis, Praisner, Knapp, Perez, Subin, Silverman, Floreen, Leventhal. NO: Andrews.

Council Session on Tuesday, May 3

No significant votes.

Council Session of Monday, May 9

Montgomery College Operating Budget

Place a reduction in instructional faculty of \$500,000 in two \$250,000 increments on the reconciliation list. Motion by Praisner. Defeated 2-7. YES: Andrews & Praisner. NO: Denis, Floreen, Silverman, Subin, Perez, Leventhal, & Knapp.

Maryland-National Capital Park & Planning Commission Operating Budget

Place \$322,000 on the reconciliation list to restore maintenance positions that serve park operations. Motion by Subin. Passed 5-4. YES: Denis, Subin, Leventhal, Silverman & Perez. NO: Praisner, Knapp, Andrews, Floreen.

Place \$25,600 on the reconciliation list to restore a half work-year of imposed lapse to the Natural Resources Division for field renovation work. Motion by Silverman. Passed 5-3. YES: Silverman, Subin, Denis, Perez & Leventhal. NO: Floreen, Andrews & Praisner. ABSENT: Knapp.

Add one career work-year and two seasonal workyears for trail maintenance enhancements in the southern region. Motion by Silverman. Defeated 4-5. YES: Denis, Subin, Silverman & Leventhal. NO: Floreen, Knapp, Andrews, Praisner & Perez.

Place \$212,000 on the reconciliation list to limit lapse in the department. Motion by Silverman. Passed 5-4. YES: Denis, Subin, Silverman, Leventhal & Perez. NO: Floreen, Knapp, Andrews & Praisner.

Public Libraries Operating Budget

Place \$57,500 for the replacement of 11 self-checkout machines on the reconciliation list. Motion by Praisner. Defeated 4-4. YES: Denis, Knapp, Perez, & Praisner. NO: Floreen, Silverman, Leventhal & Andrews. ABSENT: Subin.

Conference & Visitors' Bureau Operating Budget

Reduce budget by \$22,400. Motion by Floreen. Defeated 3-5. YES: Andrews, Floreen & Leventhal. NO: Silverman, Denis, Knapp, Praisner & Perez. ABSENT: Subin.

Department of Economic Development Operating Budget

Place \$80,000 for the Small Business Reserve Program on the reconciliation list. Motion by Floreen. Defeated 3-5. YES: Denis, Floreen & Leventhal. NO: Silverman, Knapp, Andrews, Praisner, & Perez. ABSENT: Subin.

Economic Development Fund Operating Budget

Place an additional \$100,000 to fund the Impact Assistance Fund on the reconciliation list. Motion by Denis. Passed 4-3. YES: Denis, Silverman, Leventhal & Perez. NO: Floreen, Knapp & Andrews. ABSENT: Praisner & Subin.

Council Session of Tuesday, May 10

Montrose Parkway West Project

Delay the Montrose Parkway West project for one year. Motion by Denis. Defeated 3-6. YES: Denis, Andrews & Perez. NO: Silverman, Subin, Leventhal, Praisner, Knapp & Floreen.

Council Session of May 11

Public Works & Transportation Operating Budget

Remove \$24,200 for the Mass Transit Fund from the reconciliation list. Motion by Praisner. Defeated 2-4. YES: Praisner & Knapp. NO: Floreen, Andrews, Leventhal & Perez. ABSENT: Denis, Subin & Silverman.

Make \$1.8 million in Government Obligation bonds for Rockville Town Center subject to reconciliation of the Capital Improvements Program. Motion by Subin. Passed 5-4. YES: Denis, Floreen, Subin, Silverman & Knapp. NO: Andrews, Praisner, Leventhal & Perez.

Cable Television & Communications Plan

Delete \$63,000 for down-county cable communications outreach. Motion by Silverman. Defeated 4-4. YES: Silverman, Leventhal, Floreen & Subin. NO: Andrews, Perez, Praisner & Denis. ABSENT: Knapp.

Reduce budget by \$595,000 by eliminating purchase of a mobile production vehicle. Motion by Silverman. Defeated 4-4. YES: Silverman, Subin, Andrews & Floreen. NO: Leventhal, Perez, Praisner & Denis. ABSENT: Knapp.

Department of Housing & Community Affairs Operating Budget

Reduce budget by deleting \$195,000 for the Child Passenger Safety Program and placing two increments of \$73,770 and \$121,230 on the reconciliation list. Motion by Leventhal. Passed 5-3. YES: Knapp, Andrews, Praisner, Leventhal & Perez. NO: Subin, Silverman & Floreen. ABSENT: Denis.

Police Operating Budget

Delete \$36,390 for partial year funding for a captain position to manage staff on light/restricted duty and delete \$129,080 from the reconciliation list for full-year funding of the captain position. Motion by Subin. Defeated 4-5. YES: Floreen, Leventhal, Silverman & Subin. NO: Andrews, Knapp, Praisner, Perez & Denis.

Place four increments of funding on the reconciliation list for the gang task force initiative. Motion by Subin. Passed 7-2. YES: Denis, Subin, Silverman, Perez, Knapp, Floreen, & Leventhal. NO: Andrews & Praisner.

Place \$23,170 on the reconciliation list for a new Emergency Communications Center deputy position. Motion by Subin. Passed 5-2. YES: Floreen, Subin, Silverman, Leventhal & Perez. NO: Andrews & Praisner. ABSENT: Denis & Knapp.

Council Session of Thursday, May 12

No significant votes.

Council Session of May 13, 2005

Arts & Humanities Budget

Eliminate \$50,000 for the Levine School of Music and place it on the reconciliation list. Motion by Floreen. Passed 4-2. YES: Floreen, Leventhal, Denis & Andrews. NO: Silverman & Perez. ABSENT: Praisner, Subin & Knapp.

Move \$25,000 for the Heritage Tourism Alliance to the reconciliation list. Motion by Floreen. Defeated 2-4. YES: Floreen & Leventhal. NO: Andrews, Denis, Silverman & Perez. ABSENT: Praisner, Subin & Knapp.

Approve \$50,000 in the operating budget for planning and design for the Old Blair High School Auditorium. Motion by Floreen. Defeated 2-4. YES: Floreen & Andrews. NO: Leventhal, Perez, Silverman & Denis. ABSENT: Knapp, Praisner & Subin.

Fund \$50,000 in the operating budget for facility planning and a cost estimate for Old Blair High School Auditorium and program, but not appropriate, \$140,000 in bond funding for construction. Motion by Leventhal. Defeated 4-2 (required 6 votes for passage). YES: Leventhal, Perez, Silverman & Denis. NO: Floreen & Andrews. ABSENT: Praisner, Subin & Knapp.

Add \$6000 to reconciliation list for the West Indian Dance & Cultural Association. Motion by Silverman. Defeated 3-3. YES: Denis, Perez & Silverman. NO: Floreen, Andrews & Leventhal. ABSENT: Praisner, Knapp & Subin.

Department of Recreation Operating Budget

Delete funding for the Partnership Grants for Recreation. Motion by Praisner. Passed 6-0. YES: Praisner, Denis, Floreen, Silverman, Andrews, & Leventhal. ABSENT: Subin, Perez & Knapp.

Council Session of Wednesday, May 18

Department of Homeland Security Operating Budget

Recommend transfer of security personnel from Department of Public Works & Transportation to the Department of Homeland Security. Motion by Homeland Security Committee. Passed 5-3. YES: Subin, Silverman, Leventhal, Knapp & Perez. NO: Andrews, Praisner & Floreen. ABSENT: Denis.

Miscellaneous Budget Issues

Establish that all funding for the arts and humanities be appropriated, with direction, to the Arts & Humanities Council of Montgomery County. Motion by Leventhal. Passed 5-4. YES: Floreen, Praisner, Leventhal, Knapp & Andrews. NO: Denis, Silverman, Subin & Perez.

Purchase six Compressed Natural Gas-powered buses for the Ride-On fleet instead of six hybrid buses. Motion by Knapp. Defeated 4-4. YES: Floreen, Knapp, Praisner & Andrews. NO: Denis, Silverman, Perez & Leventhal. ABSENT: Subin.

Reconsideration of proposal to purchase six CNG-Powered buses instead of six hybrid buses. Motion by Subin. Passed 5-4. YES: Subin, Floreen, Knapp, Praisner & Andrews. NO: Denis, Silverman, Perez & Leventhal.

Council Session of Thursday, May 19

Montrose Parkway

Reconsideration of proposal by Councilmember Denis to delay the Montrose Parkway West project by one year. Motion by Subin. Failed 3-6. YES: Denis, Andrews, & Perez. NO: Subin, Silverman, Floreen, Praisner, Leventhal & Knapp.

Council Session of Friday, May 20

Reconciliation List for the FY05-19 Capital Improvements Program

Motion by Praisner. Passed 8-0. YES: Silverman, Subin, Knapp, Leventhal, Perez, Praisner, Andrews & Denis. ABSENT: Floreen.

Reconciliation list for the Operating Budget

Motion by Praisner. Passed 8-0. YES: Denis, Silverman, Subin, Leventhal, Knapp, Andrews, Perez & Praisner. ABSENT: Floreen.

Council Session of Thursday, May 26

Six-year Capital Improvements Program for Montgomery County.
Approved unanimously.

FY06 Operating Budget.

Approved unanimously.

FY06 Property Tax Rates.

Approved unanimously.

Property Tax Credit at \$116 per eligible household.

Approved unanimously.

Council Session of Tuesday, June 14

No significant votes.

Council Session of Tuesday, June 21

No significant votes.

Council Session of Tuesday, June 28

No significant votes.

Council Session of Tuesday, July 5

No significant votes.

Council Session of Tuesday, July 12

Cable Compliance Commission

Remove provision that allows prospective cable customers to file complaints with Cable Compliance Commission. Motion by Subin. Passed 5-4. YES: Subin, Silverman, Floreen, Denis & Knapp. NO: Praisner, Andrews, Leventhal & Perez.

Extend Cable Compliance Commission for an additional 3 years. Motion by Praisner. Passed 9-0.

Council Session of Monday, July 18

Local Map Amendment G-831

Request for oral argument from Musgrove Road Joint Venture LLP after Hearing Examiner's recommendation of denial of amendment. Motion by Silverman. Defeated 2-6. YES: Silverman & Denis. NO: Floreen, Subin, Andrews, Leventhal, Knapp & Perez. ABSENT: Praisner.

Council Session of Tuesday, July 26

Authorize Advance Taking of Property for Montrose Parkway West

Motion to table measure, made by Denis. Defeated 3-3. YES: Denis, Andrews & Perez. NO: Silverman, Praisner & Leventhal. ABSENT: Subin, Floreen & Knapp.

Authorize Taking. Passed 4-2. YES: Silverman, Praisner, Leventhal & Perez. NO: Denis & Andrews. ABSENT: Subin, Knapp & Floreen.

Extend Condo Conversion Protections to All Disabled Renters

Motion by Denis. Passed 7-0. ABSENT: Knapp & Floreen.

Adopt County-wide Moratorium on Building Permits (Expedited Bill 22-05)

Motion by Subin. Defeated 4-3 (6 votes needed for passage). YES: Subin, Silverman, Praisner & Denis. NO: Perez, Leventhal & Andrews. ABSENT: Floreen & Knapp.

Adopt Council Resolution on Short-Term Measures to Assure Compliance with Site Plans

Motion by Perez. Passed 7-0. ABSENT: Floreen & Knapp.

Council Session of Tuesday, September 6

No significant votes.

Council Session of Monday, September 12

No significant votes.

Council Session of Tuesday, September 13

No significant votes.

Council Session of Tuesday, September 20

Animal Control law revisions include a requirement to leash all dogs in public except in County-approved dog parks and during other certain activities such as training, hunts, etc.

Motion by Andrews. Passed 9-0.

Council Session of Tuesday, September 27